IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl.Misc.No.15251-M of 2007

DATE OF DECISION: MARCH 15, 2007

Sudesh Kumari and others

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Sandeep Arora, Advocate,
for the petitioners.

...

The petitioners have filed this petition under Section 482 Cr.P.C. for quashing FIR No.360 dated 29.8.2003 registered under Sections 420/494/511 IPC at Police Station Sadar, Jalandhar, on the basis of compromise.

I have heard the counsel for the petitioners and gone through the contents of the FIR as well as the record of the case.

In this case, the aforesaid FIR was registered against petitioners No.2 to 8, on the complaint filed by petitioner No.1, who is wife of petitioner No.2.

In the petition, it has been alleged that due to some misunderstanding between petitioners No.1 and 2, the aforesaid FIR was registered. It has been stated that now the case is fixed before the trial court for service of accused and non-bailable warrants of arrest of petitioner No.2 have been issued by the Court for 18.4.2007.

It has been further alleged that now a compromise has been

arrived at between the parties vide Annexure P-2. According to the compromise, both the parties have agreed to resolve all their disputes.

After hearing the counsel for the petitioners, I do not find any merit in this petition. In this case, non-bailable warrants of arrest of petitioner No.2, who is presently residing in Germany, have been issued by the trial court for 18.4.2007. The case is still fixed for service of the accused. In my opinion, instead of appearing before the trial court, petitioner No.2 has approached this Court through his General Power of Attorney, for quashing the FIR. In this case, though the offences under Sections 420 and 494 IPC are compoundable yet in view of the facts and circumstances of the case, I do not find any ground to quash the FIR merely on the basis of compromise in exercise of the inherent powers of this Court under Section 482 Cr.P.C.

Dismissed.

However, it will be open for the petitioners to compound the alleged offences after appearance before the trial court.

March 15, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE